

AO 440 (Rev. 8/01) Summons in a Civil Action

FILED CLERK
U.S. DISTRICT COURT
2007 NOV 19 AM 9:23
Texas
TEXAS EASTERN

UNITED STATES DISTRICT COURT

Eastern

District of

Texas

Soverain Software LLC

BY
SUMMONS IN A CIVIL ACTION

V.

CDW Corporation,
Newegg Inc.,
Redcats USA, Inc.,
Systemax Inc., and
Zappos.com, Inc.

CASE NUMBER: 6:07-cv-511

TO: (Name and address of Defendant)

Newegg, Inc., 16839 East Gale Ave., City of Industry, CA 91745, by and through its
registered agent for service:

Corporation Service Company
2711 Centerville Road
Suite 400
Wilmington, DE 19808

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Kenneth R. Adamo
Jones Day
2727 North Harwood St.
Dallas, Texas 75201-1515

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

DAVID J. MALAND

NOV 02 2007

CLERK OF COURT

DATE

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RETURN OF SERVICEService of the summons & complaint was made by me⁽¹⁾

DATE

11/6/2007 @ 2:20 p.m.

NAME OF SERVER (PRINT)

Timothy C. Bennett

TITLE

Special Process Server*Check one box below to indicate appropriate method of service*

☒ Served personally upon the defendant by serving **Mary Drummond, registered agent, c/o Corporation Service Co., 2711 Centerville Road, Suite 400, Wilmington, DE 19808**

29, F, W, 5'6", 110 pounds, black hair, no glasses

☐ Left copies thereof at the defendant's house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were

☐ Returned unexecuted:

☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United State of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 11/8/2007

Date

*Timothy C. Bennett***Timothy C. Bennett**

O'ROURKE INVESTIGATIVE ASSOCIATES, INC.
1225 King Street, Suite 400
P. O. Box 368
Wilmington, DE 19899-0368

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure